

REMARKS

The undersigned thanks the examiner for the courtesies extended to the undersigned during the personal interview conducted September 30, 2003.

Applicant notes the allowance of Claims 8-11, 27-31, 38-50, and 53; the indicated allowability of Claims 5-7, 15, 18, 20-22, 51, and 52; and the examiner's acknowledgement that Claims 1-3, 12, 17, 23, 32, and 37 are allowable over the prior art of record.

The Section 102 Rejections:

1. Claims 3, 4, 12-14, and 16 stand rejected as anticipated by U.S. Patent No. 5,525,863 to Kowalczyk et al. ("Kowalczyk"). Reconsideration and withdrawal of the rejections based on Kowalczyk is solicited.

Independent Claim 3 is directed to a horizontally burning HID lamp having an arc tube, and independent Claim 12 is directed to a horizontally burning HID arc tube, wherein the arc tube includes a "canoe-shaped" lower portion. Applicant maintains that Claims 3 and 12, and those claims dependent therefrom, are directed to three-dimensional apparatus and that the limitation of a "canoe-shaped" lower portion of the arc tube recited in the claims specifies a limitation in three dimensions. Applicant notes the examiner's acknowledgement that the claims are allowable over the prior art of record.

Reconsideration and withdrawal of the rejection of Claims 3, 4, 12-14, and 16 is solicited.

Further with respect to Claims 3 and 13, the examiner relies on Figs. 3 and 4a as disclosing an arc tube having "an upper portion longitudinally conforming generally between said electrodes to the shape of the arc drawn therebetween" as claimed.

Kowalczyk at Figs. 3 and 4a discloses the longitudinal cross-section of an arc tube wherein the upper portion clearly does not conform to the shape of the arc.

With respect to Claim 4, Kowalczyk fails to disclose an arc tube having a canoe-shaped lower portion having a substantially flattened bottom. The examiner relies on Fig. 4a, however, Fig. 4c clearly illustrates the arc tube of Fig. 4a is circular in lateral cross-section.

With respect to Claim 14, the examiner relies on Fig. 4a of Kowalczyk as disclosing an arc tube having a lower portion that is substantially concave in the longitudinal direction. Fig. 4a discloses an arc tube wherein the lower portion 10a is not substantially concave in the longitudinal direction.

2. Claims 17, 19, 23-26, and 32-37 stand rejected as anticipated by U.S. Patent No. 4,001,623 to Howles et al. ("Howles"). Reconsideration and withdrawal of the rejections based on Howles is solicited.

Independent Claims 17, 23, 32, and 37 each claim an arc tube having a lower portion with a "flattened" bottom. Applicant notes the examiner's acknowledgement that the claims are allowable over the prior art of record. Reconsideration and withdrawal of the rejection of Claims 17, 19, 23-26, and 32-35, and 37 is solicited. Claims 19, 24, 25, and 33-35 are patentable with the respective independent claims without resort to the additional patentable limitations recited therein.

With respect to Claim 36, Claim 36 has been amended to specify that the ratio of the radius of curvature of the bottom portion to the radius of curvature of the upper portion of the arc tube is between about 1.5 and about 5.0. No new matter has been

added (see Specification at page 11, first paragraph). Howles does not anticipate nor make obvious amended Claim 36. Reconsideration and withdrawal of the rejection of Claim 36 is solicited.

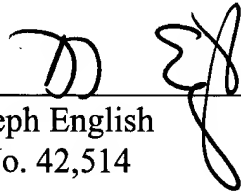
The Section 103 Rejections:

Claims 1 and 2 are rejected as obvious over Howles in view of Kowalczyk.

Applicant notes the examiner's acknowledgement that Claims 1 and 2 are allowable over the prior art of record. Reconsideration and withdrawal of the rejection of Claims 1 and 2 is solicited.

A further and favorable action and allowance of all claims is solicited.

Respectfully submitted,



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